

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR537
)	
Plaintiff,)	JUDGE JOHN R. ADAMS
)	
v.)	GOVERNMENT'S NOTICE
)	OF RESPONSE TO DEFENDANT'S
ARRICO SPIRES,)	<u>REQUEST FOR DISCOVERY</u>
)	
Defendant.)	

Now comes the United States of America, by and through its counsel, Gregory A. White, United States Attorney, and Blas E. Serrano, Assistant United States Attorney, and responds to defendant's request for discovery under Federal Criminal Rule 16, as follows:

I. DISCOVERABLE MATERIAL

(a) (1) (A) and (B) - Defendant did not make any statements to law enforcement agents at the time of his arrest.

(a) (1) (D) - A copy of the printout containing the defendant's criminal record is being mailed under separate cover.

(a) (1) (E) and (F) - The government will make available for inspection, copying, and photographing the items listed in Rule 16(a) (1) (E), documents and tangible objects. Mailed under a separate cover are CDs containing recorded conversations made during the investigation and wherein the defendant is a participant.

(a) (1) (F) and (G) - Enclosed are copies of laboratory reports of controlled substances seized during the investigation of this case and applicable to this defendant. Report No. 05E543 relates to the controlled purchase of July 1, 2005; Report 05E520 relates to the controlled purchase of July 11, 2005.

The government does not anticipate the use of evidence pursuant to Rule 404(b) of the Federal Rules of Criminal Procedure. In the event that any evidence of this nature is discovered during the pendency of this case, the government will notify defense counsel of the intended use under Rule 404(b) with sufficient time for the defense to prepare for trial.

The attorney for the government has no knowledge of exculpatory evidence material to guilt or innocence of the defendant. The government will notify defense counsel of any

exculpatory material discovered, if any, immediately upon such discovery in compliance with Brady v. Maryland.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of December 2005, a copy of the foregoing Government's Notice of Response to Defendant's Request for Discovery was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

s/ Blas E. Serrano
Blas E. Serrano
Assistant U.S. Attorney